

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE  
WRIT PETITION NO. 5027 OF 2006

Mr. Arunarbind Mishra and ors.

..Petitioners

Vs.

The  
and Ors.

Assistant

Registrar,

C.S.

..Respondents

Mr. A.K. Abhyankar i/by M/s. M. Tripathi and Co.  
for petitioners.

Mr. A.H. Palekar, AGP for respondent nos.1, 4 and 5.

Mr. A.S. Desai for respondent no.3.

Mr. P.V. Dangre, Administrator present in person.

**CORAM: B.H. MARLAPALLE, J.**

**Date : August 14, 2006.**

**P.C.:**

1. Heard Mr. Abhyankar the learned Senior  
Counsel i/by M/s. M. Tripathi and Co. for the  
petitioners. Mr. Desai appears for respondent no.3  
and Mr. Palekar, AGP appears for respondent nos.1, 4  
and 5.

2. The Hon'ble Minister of State for Cooperation,  
Marketing and Textile by the impugned order dated  
15/6/2006 has confirmed the appointment of the

Administrator for the Society - M/s. Jaidurga  
Kerosene Vitran Sanstha Limited. The said society is  
registered under the Maharashtra Co-operative  
Societies Act, 1960.

3. The statement made by the revision applicant  
in Revision Application No.508 of 2005 that fresh  
elections were held to constitute the Managing  
Committee of the said society in March-April 2006 was  
not relied upon by the revisional court and in any  
case the present petitioner nos.1 to 10 were not the  
petitioners in the said revision application.  
However, Mr. Abhyankar the learned Senior Counsel  
appearing for the petitioners stated on instructions  
that the petitioners are ready and willing to face the  
election process afresh and the Administrator  
appointed is at liberty to proceed with the elections,  
notwithstanding the fact that the appointment of the  
Administrator has been stayed by this court and the  
stay continues as of now. Mr. P.V. Dangre,  
Administrator, is present in the court. and he states  
that if the voters' list is available, the same will  
be finalised before the end of this month and the  
election program will be published in the first week

of September, 2006. The elections are to be held in the Annual General Body meeting of the society as stated in bye-law no.41 and there are in all 9 Managing Committee members, one of whom will be from the backward classes or scheduled tribe/caste. The Administrator shall ensure that the new Managing Committee is constituted as per bye-law no.41 as expeditiously as possible and preferably by 30th September, 2006. Undoubtedly, the charge of the society will be handed over to the newly elected body and the status quo as at present shall be continued till the new body is elected.

4. The petition is disposed off accordingly.

**(B.H. Marlapalle,J.)**